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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,872	08/30/2001	Robert R. Wampler	38190/233787	9504

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EXAMINER	
CHANG, JUNGWON	
ART UNIT	**PAPER NUMBER**
2154	

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/942,872	WAMPLER, ROBERT R.	
	Examiner	Art Unit	
	Jungwon Chang	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 April 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

FINAL ACTION

1. This Office Action is in response to Amendment filed on 4/20/06. Claims 1-21 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-21** are rejected under 35 U.S.C. 102(b) as being anticipated by Taylor et al. (US 5,991,528).

4. As for claim 8, Taylor discloses a system, a method, and a computer program product for controlling the operation of at least one motion device comprising at least one controllable element, said system comprising:

a setup component (Expert System 100, Fig. 2) capable of extracting process information (col. 8, line 57 – col. 9, line 61; number of processes; names of processes; process information) from electronic simulation information (MGDF 80, Fig. 2; Figs. 5, 6A, 6B, 7; col. 8, line 57 – col. 9, line 61), wherein the electronic simulation information is representative of information regarding the at least one motion device and, when the at least one motion device is configured to operate on at least one object (col. 6, line 66

– col. 7, line 12; col. 8, line 65 – col. 9, line 11; col. 9, lines 43-61), the electronic simulation information having been configured for simulating operation of the at least one motion device produced by a set of operation information (col. 7, lines 13-19, 36-59; col. 8, lines 38-56), wherein said setup component is further capable of formatting the process information into neutral process information (process data file 104, Fig. 2; col. 8, lines 10-16; neutral source code is stored in process data file 104), wherein the neutral process information is in a format independent of a format of the electronic simulation information (col. 7, line 60 – col. 8, line 16); and

at least one motion command component (motion/process data generation programs 110, Fig. 2), capable of receiving the neutral process information from said setup component, wherein each motion command component is associated with at least one motion device, wherein each motion command component is capable of interpreting the received neutral process information into operation information for the at least one controllable element of each respective motion device, wherein the operation information depends on a type of the at least one motion device, and wherein each motion command component is further capable of distributing the operation information to the at least one controllable element of each respective motion device to thereby control the operation of the respective motion devices (col. 8, lines 17-36; Figs. 1 and 2).

5. Claims 1 and 15 are subject to the same limitations as claim 8, therefore the same rejections apply.

6. As for claim 9, Taylor discloses, a system according to claim 8, wherein the at least one motion device comprises a plurality of motion devices, said setup component is capable of interpreting the neutral process information into operation information specific to the type of each of the plurality of motion devices, and wherein each motion command component is capable of distributing the operation information to the at least one controllable element of each respective motion device of the plurality of motion devices (col. 7, line 36 - col. 8, line 36, "Expert system 100...control system 24.").

7. Claims 2 and 16 are subject to the same limitations as claim 9, therefore the same rejections apply.

8. As for claim 10, Taylor discloses a system according to claim 8, wherein the electronic simulation information comprises electronic simulation information in at least one format (inherent), and wherein said setup component is capable of formatting the process information extracted from the electronic simulation information into the neutral process information in a neutral format independent of the at least one format of the electronic simulation information (col. 7, line 36 - col. 8, line 16, "Expert system 100...data file 104.").

9. Claims 3 and 17 are subject to the same limitations as claim 10, therefore the same rejections apply.

10. As for claim 11, Taylor discloses a system according to claim 11, wherein the at least one motion device operates according to operation information in the at least one format, and wherein each motion command component is capable of interpreting the neutral process information into operation information in the format of each respective motion device (col. 8, lines 17-36, "Motion/process data...control system 24.").

11. Claims 4 and 18 are subject to the same limitations as claim 11, therefore the same rejections apply.

12. As for claim 12, Taylor discloses a system according to claim 8, wherein the electronic simulation information comprises electronic simulation information in at least one format, wherein the at least one motion device operates according to operation information in at least one format, wherein said setup component is capable of formatting the process information extracted from the electronic simulation information into the neutral process information in a neutral format independent of the at least one format of the electronic simulation information, and wherein each motion command component is capable of interpreting the neutral process information into operation information in the format of each respective motion device (col. 7, line 36 - col. 8, line 16, "Expert system 100...data file 104.").

13. Claims 5 and 19 are subject to the same limitations as claim 12, therefore the

same rejections apply.

14. As for claim 13, Taylor discloses a system according to claim 12, wherein said setup component is capable of formatting the process information into the neutral process information in a neutral format independent of the at least one format of the electronic simulation information, and further independent of the at least one format of the operation information of the at least one motion device (col. 7, line 36 - col. 8, line 16, "Expert system 100...data file 104.").

15. Claims 6 and 20 are subject to the same limitations as claim 13, therefore the same rejections apply.

16. As for claim 14, Taylor discloses a system according to claim 8, wherein the at least one motion device comprises at least one machine tool (machine tools 30, Fig. 1), and wherein each motion command component is capable of distributing the operation information to each respective machine tool to thereby control the operation of the respective machine tools (col. 8, lines 17-36, "Motion/process data...control system 24.").

17. Claims 7 and 21 are subject to the same limitations as claim 13, therefore the same rejections apply.

Response to Arguments

18. Applicant's arguments filed on 4/20/06 have been fully considered but they are not persuasive.

(1) The Applicant repeated the same argument he previously addressed in the Remarks filed on 9/1/2005. That is "Taylor patent does not teach or suggest electronic information that has been configured for simulating operation of motion device(s)". Applicant interpretation of the Taylor reference that "the motion/process data generation programs 110 convert neutral source code to NC/CNC motion data that corresponds to the recited operation information for controlling the operation of device controllers" is agreed with the examiner. However, another interpretation of Taylor that "the motion/process data generation programs 110 also convert neutral source code to motion data files 114 that correspond to the recited electronic simulation information having been configured for simulating operation of the device controllers" is respectfully disagreed with the examiner. On col. 7, lines 13-19 of Taylor, which recites:

> The manufacturing data in MGDF 80 thus is sufficient to produce engineering drawings of the part, for expert system 100 to generate a manufacturing plan in the form of a **process data file 104 having information** for producing program code for device controllers, and **for producing a computer simulation of the manufacturing plan for manufacturing the part**.

The passage above clearly shows the electronic simulation information that has been configured for simulating operation of motion device(s) (also col. 14, lines 5-8, "expert

manufacturing system, 10, fig. 1, comprises a manufacturing of the manufacturing plan for producing the selected part").

(2) Applicant admits on page 3 of the Remarks that "the other cited passage of the Taylor patent, col. 8, line 65 – col. 9, line 61, does disclose simulating manufacturing processes included in a manufacturing plan. As disclosed by the Taylor patent, however, the simulation is produced from motion data files generated by converting neutral source code, not from the MGDF.

The examiner respectfully disagrees. On col. 8, line 57 – col. 9, line 61, which recites in part:

> **The structure of MGDF 80 will now be described with reference to FIGS. 5, 6A and 6B. MGDF 80 is comprised a header portion 130 and a parameter data portion 150**. Header portion is comprised of a main section 132 and a part info section 134. Parameter data portion 150 includes a process section 152, body section 154, surface section 156, detail section 158, and geometry section 160. These sections will be described in detail below.

The passage above clearly shows MGDF generates the electronic simulation information that has been configured for simulating operation of motion device(s).

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jungwon Chang
Primary Examiner
July 6, 2006